

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LESLIE A. JONES,

Defendant.

Case No. 3:08-cr-30067-JPG-PMF-2

MEMORANDUM & ORDER

J. PHIL GILBERT, DISTRICT JUDGE

This matter comes before the Court on defendant Leslie A. Jones's motion for copies of discovery and evidence. (Doc. 209.) Before the Court will provide copies of discovery and evidence to an already-sentenced defendant free of charge, the Court may require the defendant to show: (1) that she has exhausted all other means of access to her files (e.g. through trial and appellate counsel); (2) that she is financially unable to secure access to her court files (e.g. through a showing similar to that required in 28 U.S.C. § 1915(a)(2): which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing); and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218–19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *United States v. Groce*, 838 F. Supp. 411, 413–14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at the Government's expense.

Here, Jones has not made a proper showing on any of these factors. She mentions that she is preparing a motion pursuant to 28 U.S.C § 2255, but since this Court sentenced her in 2008,

the one-year statute of limitations on that type of motion has long passed. Accordingly, the Court
DENIES Jones's motion. (Doc. 209.)

IT IS SO ORDERED.

DATED: December 1, 2017

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE